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BEFORE THE ARIZONA CORPORATION COMMISSION

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COMMISSIONERS

2006 MAR 15 P 4:11

JEFF HATCH-MILLER, Chairman
WILLIAM MUNDELL
MARC SPITZER
MIKE GLEASON
KRISTIN K. MAYES

AZ CORP COMMISSION
DOCUMENT CONTROL

IN THE MATTER OF THE APPLICATION OF
E.H. LEWIS dba SONOITA VALLEY WATER
COMPANY FOR APPROVAL OF THE
TRANSFER OF ASSETS TO SONOITA WATER
COMPANY, AN ARIZONA CORPORATION.

DOCKET NO. W-04199A-05-0905
DOCKET NO. W-20435A-05-0905

PROCEDURAL ORDER

BY THE COMMISSION:

On December 16, 2005, E.H. Lewis dba Sonoita Valley Water Company ("Applicant" or "Company") filed an Application with the Arizona Corporation Commission ("Commission") to transfer the asset of the Company to Sonoita Valley Water Company, an Arizona Corporation.

On January 13, 2006, the Commission Utilities Division Staff ("Staff") notified the Company that its Application was not sufficient under the requirements of the Arizona Administrative Code.

The Company filed additional information on January 26, 2006 and January 30, 2006.

Staff notified the Company that its Application was sufficient on February 23, 2006.

Accordingly, pursuant to A.A.C. R14-3-101, the Commission now issues this Procedural Order to govern the preparation and conduct of this proceeding.

IT IS THEREFORE ORDERED the **hearing** in the above-captioned matter shall be held on **May 10, 2006, at 10:00 a.m.** or as soon thereafter as is practical, at the Commission's offices, **Room 222**, 400 West Congress St., Tucson, Arizona 85701.

IT IS FURTHER ORDERED that intervention shall be in accordance with A.A.C. R14-3-105, except that all motions to intervene must be filed on or before **April 28, 2006**.

IT IS FURTHER ORDERED that Applicant shall serve public notice of the hearing in this matter, in the following form and style:

**PUBLIC NOTICE OF HEARING ON THE
APPLICATION OF SONOITA VALLEY WATER COMPANY,
A SOLE PROPRIETORSHIP, TO TRANSFER
ITS ASSETS TO SONOITA VALLEY WATER COMPANY,
AN ARIZONA CORPORATION**

Docket No. W-04199A-05-0905

Docket No. W-20435A-05-0905

On December 16, 2005, E.H. Lewis dba Sonoita Valley Water Company ("Applicant") filed an application with the Arizona Corporation Commission ("Commission") to transfer its assets to Sonoita Valley Water Company, an Arizona corporation. The Application indicates that management of the utility will remain unchanged. If the Application is granted, the transferee will be the exclusive provider of water service in the proposed service territory, and will be required by the Commission to provide service under rates and charges and terms and conditions established by the Commission. The Application is available for inspection during regular business hours at the offices of the Commission in Phoenix, at 1200 West Washington Street, Phoenix, Arizona, in Tucson, at 400 West Congress St. Suite 218, Tucson, Arizona or on the Commission's website, azcc.gov, by using the eDocket link, as well as at the offices of the Applicant, [APPLICANT INSERT ADDRESS].

The Commission will hold a hearing on this matter beginning **May 10, 2006, at 10:00 a.m.**, at the Commission's offices, Room 222, 400 West Congress Street, Tucson, Arizona. Public comment will be taken at the beginning of the hearing.

The law provides for an open public hearing at which, under appropriate circumstances, interested persons may intervene in the proceedings and participate as a party. You may have the right to intervene in the proceeding. Intervention will be in accordance with A.A.C. R14-3-105, except that all motions to intervene must be filed on or before **April 28, 2006**. Persons desiring to intervene must file a written motion to intervene with the Commission and send such motion to Applicant or its counsel and to all parties of record. The motion must, at the minimum, contain the following:

1. The name, address, and telephone number of the proposed intervenor and of any party upon whom service of documents is to be made if different from that of the intervenor.
2. A short statement of the proposed intervenor's interest in the proceeding (e.g., a customer or potential customer of the Applicant, a shareholder of the Applicant, etc.).
3. A statement certifying that a copy of the motion to intervene has been mailed to the Applicant or its counsel and to all parties of record in the case.

The granting of intervention, among other things, entitles a party to present sworn evidence at the hearing and to cross-examine other witnesses. However, failure to intervene will not preclude any interested person or entity from appearing at the hearing and providing public comment on the applications. You will not receive any further notice of this proceeding unless you request it. Comments may also be made by writing to the Commission in care of Docket Control, 1200 W. Washington, Phoenix, Arizona 85007. All correspondence should contain the Docket Nos. W-004199A-05-0905 and W-20435-05-0905.

1 If you have any questions about these applications, or want further information on
2 intervention, you may contact the Consumer Services Section of the Commission at
1200 West Washington Street, Phoenix, Arizona 85007, or call 1-800-222-7000.

3 The Commission does not discriminate on the basis of disability in admission to its
4 public meetings. Persons with a disability may request a reasonable accommodation
5 such as a sign language interpreter, as well as request this document in an alternative
6 format, by contacting Linda Hogan, ADA Coordinator, voice phone number 602/542-
3931, E-mail LHogan@cc.state.az.us. Requests should be made as early as possible
to allow time to arrange the accommodation.

7 IT IS FURTHER ORDERED that Applicant shall mail to each of its customers a copy of this
8 notice by first-class U.S. Mail, to begin as soon as possible and to be completed on or before **April 7,**
9 **2006.**

10 IT IS FURTHER ORDERED that Applicant shall file certification of mailing as soon as
11 practicable after the mailing has been completed.

12 IT IS FURTHER ORDERED that notice shall be deemed complete upon mailing,
13 notwithstanding the failure of an individual customer or property owner to read or receive the notice.

14 IT IS FURTHER ORDERED that Staff shall file its Staff Report and associated exhibits to be
15 presented at the hearing on or before **April 21, 2006.**

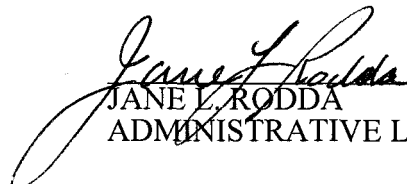
16 IT IS FURTHER ORDERED that any objection or response by the Applicant to the Staff
17 Report shall be made in writing and filed on or before **May 1, 2006.**

18 IT IS FURTHER ORDERED that the Ex Parte Rule (A.A.C. R14-3-113-Unauthorized
19 Communications) applies to this proceeding as the matter is now set for public hearing.

20 IT IS FURTHER ORDERED that the time periods specified herein shall not be extended
21 pursuant to Rule 6(a) or (e) of the Rules of Civil Procedure.

22 IT IS FURTHER ORDERED that the Presiding Officer may rescind, alter, amend, or waive
23 any portion of this Procedural Order either by subsequent Procedural Order or by ruling at hearing.

24 DATED this 13th day of March, 2006.

25 
26 JANE L. RODDA
27 ADMINISTRATIVE LAW JUDGE
28

1 Copies of the foregoing mailed
this 13th day of March, 2006 to:

2 E.H. Lewis dba
3 Sonoita Valley Water Co.
4 2644 Leisure World
Mesa, AZ 85206

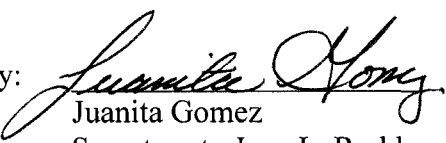
5 Bonnie O'Connor
6 Sonoita Valley Water Company, Inc.
P.O. Box 85160
Tucson, Arizona 85754

7 Mr. Christopher Kempley, Chief Counsel
8 Legal Division
9 ARIZONA CORPORATION COMMISSION
1200 West Washington Street
Phoenix, Arizona 85007

10 Mr. Ernest Johnson, Director
11 Utilities Division
12 ARIZONA CORPORATION COMMISSION
1200 West Washington Street
Phoenix, Arizona 85007

13 ARIZONA REPORTING SERVICE, INC.
14 2627 N. Third Street, Suite Three
Phoenix, Arizona 85004-1104

15
16 By:


17 Juanita Gomez
18 Secretary to Jane L. Rodda
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